

1994

Service Date: February 1,

FINAL ORDER NO. 6280

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF **Ronald K. Crafton**)
dba Crafton Northwest, Billings, MT) Docket T-93.145.PCN
application for a Montana)
Intrastate Certificate of Public) Order No. 6280
Convenience and Necessity.)

The Commission, having taken evidence and being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On October 25, 1993, Ronald K. Crafton dba Crafton Northwest, 511 Burlington Avenue, Billings, Montana 59101 filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B - Passengers and their personal belongings between all points and places in the State of Montana. Limitations: The number of persons to be transported shall be restricted by vehicle size to a maximum of fourteen (14) persons.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public November 5, 1993. That notice said in pertinent part:

If no written protests are received by November 25, 1993, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were filed by Roland Morris Sr. dba Mission Valley Medicab; Lawrence M. Rummans dba Diamond Willow Stage Line, Lewistown, Montana; Debbie J. Bartlett dba Camelot Limousine Service, Missoula, Montana; Foosco, Inc., Billings, Montana; Valet Limousine, Inc., Missoula, Montana; Mickey R. Mecklenburg dba Shelby Taxi Service, Shelby, Montana; Beach Transportation Co., Missoula, Montana; Rocky Mountain Transportation, Inc., Whitefish, Montana; Billings Yellow Cab, Billings, Montana; Miles City Cab, Miles City, Montana; Limousines of Montana, Clyde Park, Montana; John & Carma Sinerius dba Just An Experience, Virginia City, Montana; Ron and Debbie Kindsfather dba Limo Scene limousine Service, Billings, Montana; Hall Transit Charter Service, Inc., Great Falls, Montana; James E. Michael dba Kalispell Taxi, Kalispell, Montana.

4. Notice of Public hearing was issued December 21, 1993, with hearing scheduled for January 12, 1994, in Billings, Montana.

5. Prior to that hearing, Applicant restrictively amended his application and all protests were withdrawn. The

stipulations are incorporated into the Order granting authority herein. The public hearing was vacated.

6. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 10th day of January, 1994, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-93.145.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Ronald K. Crafton dba Crafton Northwest, Billings, Montana for a Certificate of Public Convenience and Necessity IS

GRANTED to the following extent:

Class B - Passengers and their personal belongings between all points and places in the State of Montana. Limitations: 1) Transportation is restricted to that provided by vehicles with a rated seating capacity of eight or less. 2) Transportation must originate or terminate in Yellowstone County. 3) No passenger transportation services shall originate or terminate within Fergus, Judith Basin, Musselshell, Toole, Treasure, Stillwater, Carbon, and Big Horn Counties, with the exception of Fort Smith, Montana and a fifty (50) mile radius thereof. 4) Transportation utilizing luxury limousines or motor coach (bus) is prohibited. 5) Transportation of railroad personnel is prohibited. 6) Transportation movements which both originate and terminate within Billings, Montana and a fifty (50) mile radius thereof are prohibited. 7) Transportation may not originate within Flathead County.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 10th day of January, 1994, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.